

## Message Text

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ACTION NEA-11

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FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC 9007

C O N F I D E N T I A L TEHRAN 5944

EO 11652: GDS  
TAGS: PINT, PINS, IR  
SUBJ: OPPOSITION LAWYERS CAPTURE BAR ASSOCIATION AND PLAN  
CLOSER SCRUTINY OF POLITICAL COURT CASES.

1. FOR SEVERAL WEEKS NOW IRANIAN LAWYERS' FEDERATION HAS BEEN  
SCENE OF INTERESTING CONFLICT BETWEEN INCUMBENT LEADERSHIP WHICH  
IS INTERESTED PRIMARILY IN BREAD AND BUTTER ISSUES AND  
REBELLIOUS YOUNGER MEMBERS, INTERESTED IN POLITICAL LIBERALIZA-  
TION, WHO ORGANIZED THEMSELVES INTO A "PROGRESSIVE MOVEMENT".  
THEY PUT UP SEPARATE SLATE FOR ELECTIONS TO GROUP'S BOARD OF  
DIRECTORS (WHICH TOOK PLACE JUNE 10). A NOISY POLITICAL CAMPAIGN  
FOLLOWED, WHICH APPEARED REGULARLY IN THE LOCAL PRESS.

2. COUNTING OF THE BALLOTS HAS BEEN COMPLETED AND WE WERE  
INFORMED JUNE 15 BY ONE OF THE LEADERS OF THE PROGRESSIVE SLATE  
THAT THE PROGRESSIVES WON FIVE OF THE 12 SEATS ON THE BOARD AS  
WELL AS TWO OF THE SIX ALTERNATES ALSO ELECTED. THEY WOULD  
HAVE WON ONE MORE SEAT, BUT A TIE VOTE WAS DECIDED BY CHANCE  
AND THEY LOST IT. NINE BALLOTS WERE INVALIDATED  
BECAUSE THEY WERE SIGNED OR HAD OTHER IMPERMISSIBLE  
MARKINGS ON THEM. ALL NINE OF THESE WERE VOTES FOR THE  
PROGRESSIVES AND, HAD THEY BEEN COUNTED, WOULD HAVE  
RESULTED IN TWO MORE SEATS FOR THE PROGRESSIVES THAN THEY  
GOT. EXULTANT OVER THE VICTORY, OUR INFORMANT NOTED THAT  
HIS SLATE HAD SUPPORTED FOUR MORE INDEPENDENTS WHO WON  
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SEATS ON THE BOARD, SO THAT IN EFFECT THEY WILL HAVE A  
WORKING MAJORITY FOR MOST PURPOSES. HE WAS SARCASTIC IN  
REGARD TO THE INVALID BALLOTS, COMMENTING THAT MANY YOUNG  
AND NOT-SO-YOUNG LAWYERS (SOME IN THEIR 40S) HAD BEEN  
CONFUSED AS TO THE EXACT RULES OF BALLOTING SINCE THIS  
WAS THE FIRST DEMOCRATIC ELECTION OF ANY KIND IN WHICH THEY  
HAD PARTICIPATED\*

3. THE FOLLOWING CANDIDATES WERE ELECTED:

| NAME                      | FACTION    | VOTES |
|---------------------------|------------|-------|
| HEDAYTOLLAH MATIN-DAFTARI | PROG.      | 668   |
| HASSAN NAZIH              | "          | 665   |
| MOHAMMAD JALALI N'INI     | FORMER BAR | 630   |
| MOHSEN PEZESHKPOUR        | INDEP      | 624   |
| SAREMEDDIN SADEGH-VAZIRI  | PROG       | 617   |
| MOHAMMAD TAGHI DAMGHANI   | "          | 598   |
| MAHMOOD MO'INI ARAGHI     | "          | 566   |
| MASSOUD ETESSAM           | FORMER BAR | 558   |
| ABDOLMAJID ARDALAN        | INDEP      | 550   |
| ESMAIL ZAHED              | FORMER BAR | 535   |
| ABDOLKARIM ANVARI         | INDEP      | 532   |
| VALIOLLAH SHAHAB-FERDOWS  | "          | 514   |

ALTERNATE MEMBERS:

|                            |            |     |
|----------------------------|------------|-----|
| ALI HASHEMIAN              | FORMER BAR | 494 |
| MOHAMMAD REZA FEIZ-MAHDAVI | "          | 469 |
| MOHAMMAD JAVAD RAZAVI      | PROG       | 469 |
| JAHANGI AMIR-HOSSEINI      | FORMER BAR | 454 |
| ALI SHAHANDEH              | PROG       | 434 |
| ABOLFAZL SAGHER YAGHMAI    | FORMER BAR | 434 |

4. PROGRESSIVES HAVE GREATLY IMPROVED THEIR POSITION IN THE FEDERATION; PREVIOUSLY THEY HAD ONLY THREE SEATS ON THE EXECUTIVE COUNCIL AND THESE WERE ONLY AS RELATIVELY CONFIDENTIAL

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POWERLESS ALTERNATE MEMBERS. ALTHOUGH ELECTION FOR CHAIRMAN OF THE FEDERATION WILL NOT BE HELD UNTIL JULY 6, IT IS ANTICIPATED THAT PROGRESSIVE CANDIDATE HASSAN NAZIEH WILL BE CHOSEN. BY LAW THE CHAIRMAN MUST BE AT LEAST FIFTY YEARS OF AGE, MUST HAVE PRACTICED LAW FOR AT LEAST TWENTY YEARS AND MUST BE ELECTED BY A TWO-THIRDS MAJORITY TO HIS POST. TOP VOTE GETTER MATIN-DAFTARI, A PROMINENT FIGURE IN THE INTERNAL OPPOSITIONIST MOVEMENT, AND GRANDSON OF MOSSADEQ, WAS EXCLUDED FROM ELIGIBILITY (HE IS 46 YEARS OLD AND IN LAW PRACTICE FOR LESS THAN 20 YEARS).

4. THE CAMPAIGN WAS HARD FOUGHT AND EXHILARATING TO MANY OBSERVERS WHO HAVE NOT BEEN ACCUSTOMED TO THE EXPERIENCE; THEY ALSO HOPE THAT THE BAR ELECTION IS ONE MORE INDICATION OF THE SHAH'S INTENT TO STICK TO HIS OBJECTIVE OF MOVING TOWARD A MORE OPEN SOCIETY. LAWYERS HAVE BEEN AT THE FOREFRONT OF THE OPPOSITION MOVEMENT IN TEHRAN AND WE CAN EXPECT A RENEWED DETERMINATION OF THIS GROUP TO KEEP PRESSING FOR FURTHER CHANGE. THEY HAVE TOLD US PRIVATELY THAT THEY WILL BE MONITORING COURT CASES CLOSELY FOR EVIDENCE OF IMPROPER PROCEDURE ON THE PART OF GOVERNMENT OFFICIALS INCLUDING PROSECUTORS AND JUDGES.

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